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## RECENT CASES

ALIEN—PERSONS WHO MAY BECOME CITIZENS BY NATURALIZATION—ALIEN WIFE OF FOREIGNER.—*IN RE RIONDA*, 164 FED. 368.—*Held*, an alien woman, married to an alien, although residing in this country and otherwise qualified, cannot become a citizen of the United States by naturalization.

The wife of an alien becomes a citizen upon the naturalization of her husband. *People v. Newell*, 38 Hum. 78. And it makes no difference whether the husband's naturalization takes place before or after the marriage. *Kane v. McCarthy*, 63 N. C. 299. The political status of the wife is the same as that of her husband. *Pequignot v. Detroit*, 16 Fed. 211; *Comitis v. Parkerson*, 22 L. R. A. 148. But in *Priest v. Cummings*, 16 Wend. 617, it was held that an alien wife may be naturalized without the concurrence of her husband. The relation of husband and wife is not inconsistent with one being an alien and the other a citizen. *Comitis v. Parkerson*, 22 L. R. A. 148.

ANIMALS—MAD DOGS—OWNER'S LIABILITY FOR INJURY.—*VAN ETEN V. NOYES*, 112 N. Y. SUPP. 888.—*Held*, that while the owner of domestic animals, such as cattle, is generally liable for the unwarrantable entry by his animal upon another's land, one who owns or harbors a dog is not liable in trespass every time it goes upon another's land, the general rule being that the owner is not liable for harm done by his dog, unless it was of a mischievous disposition or vicious propensity, and the owner previously knew thereof, or was chargeable with notice that the dog was harmfully disposed; and hence, an owner is not liable for injury inflicted by a mad dog, where she did not know or have any reason to believe that the dog was mad, or had a vicious nature or harmful disposition. *McLennan*, P. J., *dissenting in part*.

The above ruling follows the weight of authority. *Dolph v. Ferris*, 7 W. and S. (Pa.) 317; *Van Leuven v. Lyke*, 1 N. Y. 515. There is, however, no absolute liability for trespasses of dogs, because their trespasses are not usually injurious to property. *Brown v. Giles*, 1 C. & P. 118. *Contra: Beckwith v. Shordike*, 4 Burrows 2092. To hold the owner liable he must know of the dog's vicious propensities. *Koney v. Ward*, 2 Daly 295; *Vrooman v. Lawyer*, 13 Johns 339. *Scienter* is the gist of the action. *Fairchild v. Bently*, 30 Barb. 147. And the fact that the injury is the first actually inflicted by dog is not a good defense. *Rider v. White*, 65 N. Y. 54.

BILLS AND NOTES—NEGOTIABLE NOTE—EXTENSION OF TIME OF PAYMENT.—*FIRST NATIONAL BANK OF POMEROY, IA. v. BUTTERY*, 116 N. W. 341 (N. D.).—A note by its terms was payable on or before a date named and contained a clause, "the maker's and indorser's consent that the time of its payment may be extended without notice," *held*, to be negotiable. *Morgan*, C. J., *dissenting*.

According to the Law Merchant, a note in order to be negotiable